THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KARELIZ NIN :

Plaintiff,

v. : 3:17-CV-802

(JUDGE MARIANI)

LUZERNE COUNTY and

LUZERNE COUNTY CHILDREN

AND YOUTH SERVICES

:

Defendants.

<u>ORDER</u>

AND NOW, THIS ______ DAY OF OCTOBER 2020, upon consideration of Defendants' Motion to Dismiss Plaintiff's Third Amended Complaint (Doc. 67) and all relevant documents, for the reasons set out in the simultaneously filed Memorandum Opinion, IT IS HEREBY ORDERED THAT:

- Defendants' Motion to Dismiss Plaintiff's Third Amended Complaint (Doc. 67) is
 GRANTED IN PART and DENIED IN PART;
- 2. The Motion is GRANTED in that Plaintiff's claim for procedural due process, her claim for substantive due process based on deprivation of the right to confidentiality in disclosed records, and her claim for substantive due process based on deprivation of the right to familial integrity for the initial removal of her children from her custody are DISMISSED WITH PREJUDICE;

 The Motion to Dismiss is **DENIED** as to Plaintiff's substantive due process claim based on deprivation of the right to familial integrity for the post-removal period of dependency.

Robert D. Mariani

United States District Judge